

JOURNAL OF THE HOUSE

EIGHTY-EIGHTH SESSION

THIRTY-SEVENTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Friday, March 8, 2013

The House convened at 10:00 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Dan Bader, followed by the Pledge of Allegiance led by House pages Stephanie Garcia and Kayla Sylvester.

Roll Call: All members present except Reps. Carson and Killer who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirty-sixth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Brian G. Gosch, Chair

Which motion prevailed.

REPORTS OF CONFERENCE COMMITTEES

Cc90A

MR. SPEAKER:

The Conference Committee respectfully reports that it has considered SB 90 and the amendments thereto made by the House, and the disagreement of the two houses thereon, and recommends that SB 90 be amended as follows:

90mm

On page 1 of the House engrossed bill, delete lines 4 to 15, inclusive.

On page 2, delete lines 1 to 19, inclusive.

On page 5, between lines 13 and 14, insert:

" Section 10. That section 14 of chapter 30 of the 2012 Session Laws be amended to read as follows:

BOARD OF REGENTS

(3) ~~Employee Compensation and Health Insurance~~

Personal Services, General Funds, delete "\$0" and insert "\$2,000,000"

Adjust all totals accordingly.

Section 11. That section 14 of chapter 30 of the 2012 Session Laws be amended by adding a NEW SECTION to read as follows:

BOARD OF REGENTS

(8A) Nonrecurring Agricultural Experiment Station Research Pool

Personal Services	\$0	\$0	\$0	\$0
Operating Expenses	\$500,000	\$0	\$0	\$500,000
TOTAL	\$500,000	\$0	\$0	\$500,000
F.T.E.				0.0

Adjust all totals accordingly.

Section 12. That chapter 30 of the 2012 Session Laws be amended by adding a NEW SECTION to read as follows:

The state treasurer shall transfer to the boxing commission fund, ninety-five thousand dollars (\$95,000) from the state general fund.

1 Section 13. That section 6 of chapter 41 of the 2012 Session Laws be amended to read as
2 follows:

3 Section 6. ~~The funds in section 7 of this Act which are unspent at the end of fiscal year 2012~~
4 ~~may be carried over to the next fiscal year~~ provisions of § 4-8-19 do not apply to the funds in
5 section 7 of this Act.".

6 On page 5, line 17, delete "three million six hundred thousand dollars (\$3,600,000)" and
7 insert "two million dollars (\$2,000,000)".

8 On page 5, line 18, delete "by section 3 of" and insert "in"

9 On page 5, between lines 19 and 20, insert:

10 " Section 12. The sum of nine hundred eighty-three thousand six hundred forty-nine dollars
11 (\$983,649) in the general fund on June 30, 2013, shall be obligated and committed for the
12 purposes of future appropriations in FY2014. The provisions of §§ 4-7-32 and 4-7-39 do not
13 apply to these funds.

14 Section 13. Notwithstanding section 145 of HB 1060 as previously enacted by the Eighty-
15 Eighth Legislature, up to twenty million dollars (\$20,000,000) in general funds appropriated in
16 subsection (3) of section 8 of chapter 30 of the 2012 Session Laws which are unspent at the end
17 of fiscal year 2013 may be carried over to fiscal year 2014 for medical and adult services. Any
18 additional unspent general funds shall revert in accordance with chapter 4-8. Federal and other
19 funds appropriated in subsection (3) of section 8 of chapter 30 of the 2012 Session Laws which
20 are unspent at the end of fiscal year 2013 may be carried over to fiscal year 2014 for medical
21 and adult services."

22 90mte

23 On page 1, line 1, of the House engrossed bill, delete everything after "Act to" and insert
24 "revise the General Appropriations Acts for fiscal years 2012 and 2013."

25 On page 1, delete line 2.

26 Respectfully submitted,
27 Dean Wink
28 House Committee Chair

Respectfully submitted,
Deb Peters
Senate Committee Chair

29 MOTIONS AND RESOLUTIONS

30 HOUSE PAGE RESOLUTION 5 Introduced by: Representatives Bartling; Bolin;
31 Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson;
32 Feickert; Feinstein; Gibson; Gosch; Greenfield; Hagggar (Don); Hagggar (Jenna); Hajek; Hansen;
33 Hawks; Hawley; Heinemann, Heinert, Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;

1 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman;
2 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
3 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp, Sly;
4 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
5 Wismer.

6 A RESOLUTION, Expressing the appreciation and gratitude of the House of Representatives
7 of the Eighty-eighth Legislature of the State of South Dakota to Cara Beck, Megan Ford,
8 Stephanie Garcia, Leah Gosch, Matt Halter, Savannah Johnson, Epiphany Knedler,
9 Cameron Lux, Matthew Moen, Michelle Schwab, Christian Swenson, Kayla Sylvester.

10 WHEREAS, the above named served loyally as pages for the House of Representatives of
11 the Eighty-eighth Legislative Session; and

12 WHEREAS, the members of the Eighty-eighth House of Representatives express their most
13 sincere appreciation to these young people for their service to the state; and

14 WHEREAS, the members extend to these young people their wishes for every success in
15 life:

16 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
17 eighth Legislature of the State of South Dakota, that a personal copy of this resolution be duly
18 certified and furnished to each page on this last day of service.

19 Rep. Hansen moved that House Page Resolution 5 be adopted.

20 Which motion prevailed and the resolution was adopted.

21 Rep. Lust moved that a committee of three on the part of the House be appointed to meet
22 with a like committee on the part of the Senate to wait upon his Excellency, the Governor, to
23 inform him that the Legislature has completed its labors and is ready to adjourn sine die and to
24 ascertain if he has any further communications to make to the Legislature.

25 Which motion prevailed and the Speaker appointed as such committee Reps. Gosch, Lust,
26 and Bernie Hunhoff.

27 Rep. Lust moved that a committee of three on the part of the House be appointed to meet
28 with a like committee on the part of the Senate pertaining to fixing the time of adjournment sine
29 die for the Eighty-eighth Legislative Session.

30 Which motion prevailed and the Speaker appointed as such committee Reps. Gosch, Lust,
31 and Bernie Hunhoff.

1 **CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES**

2 Rep. Cronin moved that the House do not adopt the report of the Conference Committee
3 on SB 155 as found on page 810 of the House Journal and do not appoint a new committee.

4 The question being on Rep. Cronin's motion to not adopt the report of the Conference
5 Committee on SB 155 and to not appoint a new committee.

6 And the roll being called:

7 Yeas 67, Nays 0, Excused 3, Absent 0

8 Yeas:

9 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
10 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
11 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
12 Johns; Kaiser; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
13 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
14 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
15 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Westra; Wick;
16 Wink; Wismer; Speaker Gosch

17 Excused:

18 Carson; Killer; Werner

19 So the motion having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the motion carried, the report was not adopted, and no new committee was
21 appointed.

22 Rep. Mickelson moved that the House do not adopt the report of the Conference
23 Committee on SB 159 as found on page 811 of the House Journal and do not appoint a new
24 committee.

25 The question being on Rep. Mickelson's motion to not adopt the report of the Conference
26 Committee on SB 159 and to not appoint a new committee.

27 And the roll being called:

28 Yeas 68, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
3 Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
4 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
5 Johns; Kaiser; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
6 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
7 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Excused:

11 Carson; Killer

12 So the motion having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the motion carried, the report was not adopted, and no new committee was
14 appointed.

15 Rep. Wink moved that the report of the Conference Committee on SB 90 as found on
16 page 820 of the House Journal be adopted.

17 The question being on Rep. Wink's motion that the report of the Conference Committee
18 on SB 90 be adopted.

19 And the roll being called:

20 Yeas 53, Nays 15, Excused 2, Absent 0

21 Yeas:

22 Bartling; Bolin; Cammack; Conzet; Cronin; Dryden; Duvall; Ecklund; Erickson; Gibson;
23 Greenfield; Haggar (Don); Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert;
24 Hoffman; Hunhoff (Bernie); Johns; Kirschman; Kopp; Lust; Magstadt; Mickelson; Miller;
25 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
26 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Solum;
27 Stevens; Tulson; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

28 Nays:

29 Campbell; Craig; Feickert; Feinstein; Haggar (Jenna); Hickey; Kaiser; Latterell; May; Nelson;
30 Russell; Soli; Stalzer; Steele; Tyler

31 Excused:

32 Carson; Killer

33 So the motion having received an affirmative vote of a majority of the members-elect, the
34 Speaker declared the motion carried and the report was adopted.

1 Rep. Lust moved that the House do now recess until 4:00 p.m., which motion prevailed and
2 at 10:53 a.m., the House recessed.

3 **RECESS**

4 The House reconvened at 4:00 p.m., the Speaker presiding.

5 There being no objection, the House reverted to Order of Business No. 4.

6 **COMMUNICATIONS AND PETITIONS**

7 March 8, 2013

8 Mr. Speaker and Members of the House of Representatives:

9 I have the honor to inform you that on March 8, 2013, I approved House Bills 1013, 1014, 1015,
10 1016, 1017, 1087, 1151, 1194, 1226, and 1237, and the same have been deposited in the office
11 of the Secretary of State.

12 Respectfully submitted,
13 Dennis Daugaard
14 Governor

15 **MESSAGES FROM THE SENATE**

16 MR. SPEAKER:

17 I have the honor to inform your honorable body that the Senate has appointed
18 Sens. Lederman, Peters, and Sutton as a committee of three on the part of the Senate to meet
19 with a like committee on the part of the House pertaining to fixing the time of adjournment sine
20 die for the Eighty-eighth Legislative Session.

21 Also MR. SPEAKER:

22 I have the honor to inform your honorable body that the Senate has appointed Sens. Olson,
23 Rave, and Frerichs as a committee of three on the part of the Senate to meet with a like
24 committee on the part of the House to wait upon his Excellency, the Governor, to inform him
25 that the Legislature has completed its labors, is ready to adjourn sine die, and to ascertain if he
26 has any further communications to make to the Legislature.

1 Also MR. SPEAKER:

2 I have the honor to inform your honorable body that the Senate has failed to adopt the
3 report of the Conference Committee on SB 155 and no new committee was appointed.

4 Also MR. SPEAKER:

5 I have the honor to inform your honorable body that the Senate has failed to adopt the
6 report of the Conference Committee on SB 159 and no new committee was appointed.

7 Also MR. SPEAKER:

8 I have the honor to inform your honorable body that the Senate has adopted the reports of
9 the Conference Committees on SB 90 and 195.

10 Respectfully,
11 Jeannette Schipper, Secretary

12 Rep. Munsterman moved that the House do now recess until 7:00 p.m., which motion
13 prevailed and at 4:04 p.m., the House recessed.

14 **RECESS**

15 The House reconvened at 7:00 p.m., the Speaker presiding.

16 Rep. Munsterman moved that the House do now recess until 9:30 p.m., which motion
17 prevailed and at 7:05 p.m., the House recessed.

18 **RECESS**

19 The House reconvened at 9:30 p.m., the Speaker presiding.

20 There being no objection, the House reverted to Order of Business No. 5.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Appropriations respectfully reports that it has had under consideration HB 1185 and returns the same with the recommendation that said bill be amended as follows:

1185uab

On page 26, line 11 of the printed bill, INCREASE Personal Services GENERAL FUNDS \$22,902 and INCREASE Personal Services FEDERAL FUNDS \$1,095 and INCREASE Personal Services OTHER FUNDS \$3,235

On page 26, line 18, INCREASE Personal Services GENERAL FUNDS \$2,501 and INCREASE Personal Services FEDERAL FUNDS \$1,606 and INCREASE Personal Services OTHER FUNDS \$6,183

On page 26, line 39, INCREASE Personal Services OTHER FUNDS \$494

Adjust all totals accordingly.

DESCRIPTION: This amendment adds additional general funds and expenditure authority to the Attorney General's budget for movement to job worth from 2.5 percent to 3.5 percent. The Governor's recommended budget included funding for job worth increases of 2.5 percent. (BFM 1)

1185dl

On page 11, line 16 of the printed bill, INCREASE Personal Services GENERAL FUNDS \$206,337

On page 11, line 20, INCREASE FTEs 4.0

On page 25, line 32, INCREASE Personal Services GENERAL FUNDS \$342,677 and INCREASE Personal Services OTHER FUNDS \$67,099

On page 25, line 36, INCREASE FTEs 7.0

On page 26, line 18, INCREASE Personal Services GENERAL FUNDS \$83,500

On page 26, line 19, INCREASE Operating Expenses GENERAL FUNDS \$17,500

On page 26, line 22, INCREASE FTEs 2.0

Adjust all totals accordingly.

1 DESCRIPTION: This amendment is for additional ongoing costs related to the South Dakota
2 Public Safety Improvement Act and Criminal Justice Initiative beginning in FY2014.

3 Department of Social Services - Increases in 4.0 FTE and \$206,337 in general funds for personal
4 services within the Department of Social Services are for one Program Specialist II and three
5 Program Specialist I to help develop new and expanded services, and accredit providers.

6 Unified Judicial System - Increase in 7.0 FTE, \$342,677 in general funds, and \$67,099 in other
7 fund expenditure authority for personal services within the Unified Judicial System are for four
8 Court Service Officers, one Policy Analyst, one Accounting Analyst, and one Programmer
9 Analyst.

10 Attorney General - Increase in 2.0 FTE and \$101,000 in general funds for personal services and
11 operating expenses within the Office of the Attorney General are for a Program Coordinator and
12 an I.T. staff member to help operate the Statewide Automated Victim Information and
13 Notification System (SAVIN). (BFM2)

14 1185dn

15 On page 3, line 44 of the printed bill, INCREASE Personal Services GENERAL FUNDS
16 \$29,775 and INCREASE Personal Services OTHER FUNDS \$2,013

17 Adjust all totals accordingly.

18 DESCRIPTION: This adds salary policy for the Criminal Justice Initiative. (BFM6)

19 1185dp

20 On page 21, line 25 of the printed bill, INCREASE Operating Expenses GENERAL
21 FUNDS \$146,875

22 Adjust all totals accordingly.

23 DESCRIPTION: Department of Veterans Affairs - This adds back the funds to pay the state's
24 share of County Veteran Service Officers' Salaries. (BFM8)

25 1185dr

26 On page 17, line 10 of the printed bill, INCREASE Operating Expenses GENERAL
27 FUNDS \$1,140,501

28 Adjust all totals accordingly.

1 DESCRIPTION: Department of Education - This amendment is due to the passage of SB 15
2 and will cover the increased costs due to the increased December child count for special
3 education with the formula levy at \$1.352. (BFM10)

4 1185ds

5 On page 3, line 44 of the printed bill, DECREASE Personal Services GENERAL FUNDS
6 \$2,798,448 and DECREASE Personal Services FEDERAL FUNDS \$1,598,219 and
7 DECREASE Personal Services OTHER FUNDS \$3,357,969

8 On page 3, line 45, DECREASE Operating Expenses GENERAL FUNDS \$163,574 and
9 DECREASE Operating Expenses FEDERAL FUNDS \$102,338 and DECREASE Operating
10 Expenses OTHER FUNDS \$133,000

11 Adjust all totals accordingly.

12 DESCRIPTION: This removes the amount in the Employee Compensation Pool related to the
13 proposed Wellness and Medical Management Initiative along with the increases for the internal
14 service rates related to this initiative. (BFM12)

15 1185dt

16 On page 29, after line 17 of the printed bill, insert:

17 " Section 37. The state treasurer shall transfer to the state general fund all moneys available
18 from the tax relief fund created by § 10-45C-15."

19 DESCRIPTION: This amendment is needed as the tax relief fund was not repealed as proposed
20 in SB 51. This amendment will ensure the revenue estimate as adopted will not be reduced
21 further due to this change in SB 51. (BFM13)

22 1185du

23 On page 19, line 11 of the printed bill, INCREASE Operating Expenses GENERAL
24 FUNDS \$10,000

25 Adjust all totals accordingly.

26 DESCRIPTION: This amendment adds \$10,000 in general funds to the South Dakota
27 Opportunity Scholarship per the passage of HB1198. The projected fiscal impact was \$6,000-
28 \$10,000. If the scholarship is not fully funded the proration language takes effect. (BFM 15)

1 1185mac

2 On page 17, line 51 of the printed bill, INCREASE Personal Services GENERAL FUNDS
3 \$52,439

4 On page 17, line 52, INCREASE Operating Expenses GENERAL FUNDS \$8,169

5 On page 17, line 55, INCREASE FTEs 1.0

6 Adjust all totals accordingly.

7 DESCRIPTION: Department of Education - Increase general funds to allow for a program
8 specialist to be hired to administer the new grant programs appropriated by the 2013 session.
9 These programs include Classroom Innovations Grants, grants for CTE in SB235, and Teach
10 for America. (BFM17)

11 1185dg

12 On page 6, line 18 of the printed bill, DECREASE Operating Expenses OTHER FUNDS
13 \$12,000

14 Adjust all totals accordingly.

15 DESCRIPTION: DOR - Remove \$12,000 from Administration for passage of SB239.
16 (Sen. Peters)

17 1185de

18 On page 18, line 39 of the printed bill, INCREASE Operating Expenses GENERAL
19 FUNDS \$15,000

20 Adjust all totals accordingly.

21 DESCRIPTION: DPS-Increase of \$15,000 in general fund expenditure authority for the organ
22 and tissue donation registry as addressed in HB 1217. (Sen. Peters)

23 1185mr

24 On page 19, between lines 22 and 23 of the printed bill, insert:

25 "(4) Board of Regents Grant Pool

26	Personal Services	\$0	\$0	\$0	\$0
27	Operating Expenses	\$1,000,000	\$0	\$0	\$1,000,000

1	Total	\$1,000,000	\$0	\$0	\$1,000,000
2	FTE				0.0

3 Adjust all totals accordingly".

4 DESCRIPTION: Board of Regents - Research Grant Pool - Provide funding for distribution to
5 the universities for the purpose of providing grants for research. (Sen. Tiedemann)

6 1185ue

7 On page 26, line 12 of the printed bill, INCREASE Operating Expenses OTHER FUNDS
8 \$300,000

9 On page 26, line 19, INCREASE Operating Expenses OTHER FUNDS \$542,863

10 Adjust all totals accordingly.

11 DESCRIPTION: Attorney General. This amendment is for the distribution of 24/7 funds and
12 Drug Forfeiture funds to counties and local governments. (Attorney General)

13 1185uag

14 On page 26, line 25 of the printed bill, DECREASE Personal Services OTHER FUNDS
15 \$56,787 and on page 26, line 29, DECREASE FTEs 1.0

16 Adjust all totals accordingly.

17 DESCRIPTION: (Attorney General) Reduce personal services funding and 1.0 FTE.
18 (Sen. Peters)

19 1185mc

20 On page 20, line 9 of the printed bill, INCREASE Personal Services GENERAL FUNDS
21 \$115,660

22 On page 20, line 10, INCREASE Operating Expenses GENERAL FUNDS \$43,460

23 Adjust all totals accordingly.

24 DESCRIPTION: BOR - Northern State University - Increase funding for E-Learning to sustain
25 Learning Power AP courses at the 2012-13 level of 429 students. (\$159,120 general funds)
26 (Sen. Al Novstrup) (Rep. Cronin)

1 1185va

2 On page 27, line 27 of the printed bill, INCREASE Operating Expenses GENERAL
3 FUNDS \$22,000

4 Adjust all totals accordingly.

5 DESCRIPTION: Treasury Management - funds increased bank fees (State Treasurer)

6 1185mf

7 On page 26, line 55 of the printed bill, INCREASE Operating Expenses OTHER FUNDS
8 \$100,000

9 Adjust all totals accordingly.

10 DESCRIPTION: School and Public Lands–Increase other fund spending authority to utilize
11 more Weed and Pest fund money. (SPL)

12 1185uah

13 On page 25, line 47 of the printed bill, INCREASE Appropriations GENERAL FUNDS
14 \$500,000

15 Adjust all totals accordingly.

16 DESCRIPTION: Legislature - increase funding for the Legislative Branch. (Rep. Romkema)

17 1185mw

18 On page 29, between lines 17 and 18 of the printed bill, insert:

19 " Section 37. The state treasurer shall transfer to the South Dakota Cement Plant Retirement
20 Fund two million dollars (\$2,000,000) from the state general fund."

21 DESCRIPTION: Transfer \$2,000,000 in general funds to the Cement Plant Retirement Fund.
22 (Sen. Peters)

23 1185mak

24 On page 17, between lines 49 and 50 of the printed bill, insert:

25 "(8A) Nonrecurring Postsecondary Technical Institute Funding

1	Personal Services	\$0	\$0	\$0	\$0
2	Operating Expenses	\$500,000	\$0	\$0	\$500,000
3	TOTAL	\$500,000	\$0	\$0	\$500,000
4	F.T.E.				0.0

5 The moneys appropriated by this subsection shall be distributed on a one-time basis to the
6 technical institutes based on FY2012 actual student F.T.E.

7 Adjust all totals accordingly."

8 DESCRIPTION: Department of Education-Provide one-time funding to the technical institutes
9 for the purpose of purchasing equipment and expanding programming to better meet the
10 growing and developing needs of South Dakota's workforce. (Rep. Mickelson)

11 1185uak

12 On page 17, between lines 42 and 43 of the printed bill, insert:

13 " (7A) Nonrecurring Technology Infrastructure Upgrade Funding

14	Personal Services	\$0	\$0	\$0	\$0
15	Operating Expenses	\$500,000	\$0	\$0	\$500,000
16	Total	\$500,000	\$	\$0	\$500,000

17 F.T.E. 0.0".

18 DESCRIPTION: Department of Education - K-12 technology upgrades for local school districts.
19 Replace aging technology infrastructure to enhance school districts' ability to collaborate in the
20 delivery of educational services. (Rep. Wink)

21 1185mj

22 On page 2, line 10 of the printed bill, INCREASE Operating Expenses OTHER FUNDS
23 \$5,000,000

24 Adjust all totals accordingly.

25 DESCRIPTION: Governor's Office of Economic Development - Increase spending authority
26 for the Future Fund (Sen. Peters)

1185ah

On page 29, between lines 17 and 18 of the printed bill, insert:

" Section 37. The state treasurer shall transfer two million dollars (\$2,000,000) from the general fund to the employer's investment in South Dakota's future fund."

Description: Transfer \$2,000,000 in general funds to the Future Fund.

And that as so amended said bill do pass.

Respectfully submitted,
Fred W. Romkema, Chair

MOTIONS AND RESOLUTIONS

Rep. Lust moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on Monday, March 25, the 38th legislative day.

Which motion prevailed.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Lust moved that the report of the Standing Committee on

Appropriations on HB 1185 as found on page 827 of the House Journal be adopted.

Which motion prevailed.

SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1185: FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary expenses of the legislative, judicial, and executive departments of the state, the expenses of state institutions, interest on the public debt, and for common schools.

Was read the second time.

1 1185mam

2 Rep. Wismer moved that HB 1185 be amended as follows:

3 On page 10, of the House Appropriations engrossed bill, between lines 46 and 47, insert:

4 "(1A) Nonrecurring Provider Allocation

5	Personal Services	\$0	\$0	\$0	\$0
6	Operating Expenses	\$2,097,960	\$2,482,739	\$0	\$4,580,699
7	TOTAL	\$2,097,960	\$2,482,739	\$0	\$4,580,699
8	F.T.E.				0.0

9 The moneys appropriated by this subsection shall be distributed to long term care providers,
10 community mental health providers, and community support to providers on a nonrecurring
11 basis.

12 Adjust all totals accordingly."

13 On page 17, between lines 7 and 8, insert:

14 "(3) Nonrecurring State Aid to Education

15	Personal Services	\$0	\$0	\$0	\$0
16	Operating Expenses	\$2,097,959	\$0	\$0	\$2,097,959
17	TOTAL	\$2,097,959	\$0	\$0	\$2,097,959

18 The moneys appropriated by this subsection shall be distributed to school districts based on the
19 actual FY 12 fall enrollment.

20 Adjust all totals accordingly."

21 On page 21, line 47, INCREASE Operating Expenses GENERAL FUNDS \$21,000

22 On page 26, line 10, DECREASE Appropriation GENERAL FUNDS \$500,000

23 On page 30, delete lines 1 and 2, inclusive.

24 A roll call vote was requested and supported.

25 The question being on Rep. Wismer's motion that HB 1185 be amended.

26 And the roll being called:

1 Yeas 16, Nays 49, Excused 5, Absent 0

2 Yeas:

3 Bartling; Feinstein; Gibson; Hawks; Hawley; Heinert; Hunhoff (Bernie); Kirschman; May;
4 Miller; Parsley; Ring; Schoenfish; Soli; Tyler; Wismer

5 Nays:

6 Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson;
7 Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Heinemann (Leslie); Hickey;
8 Hoffman; Johns; Kaiser; Kopp; Latterell; Lust; Magstadt; Mickelson; Munsterman; Nelson;
9 Novstrup (David); Olson (Betty); Otten (Herman); Qualm; Rasmussen; Romkema; Rounds;
10 Rozum; Russell; Schaefer; Sly; Solum; Stalzer; Steele; Stevens; Tulson; Verchio; Werner;
11 Westra; Wick; Wink; Speaker Gosch

12 Excused:

13 Carson; Feickert; Killer; Peterson; Schrempp

14 So the motion not having received an affirmative vote of a majority of the members
15 present, the Speaker declared the motion lost.

16 Rep. Munsterman moved the previous question.

17 Which motion prevailed.

18 The question being "Shall HB 1185 pass as amended?"

19 And the roll being called:

20 Yeas 48, Nays 17, Excused 5, Absent 0

21 Yeas:

22 Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson;
23 Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawley; Heinemann (Leslie); Hickey; Hoffman;
24 Johns; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup (David);
25 Olson (Betty); Otten (Herman); Qualm; Rasmussen; Romkema; Rounds; Rozum; Schaefer;
26 Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Tulson; Verchio; Werner; Westra; Wick;
27 Wink; Speaker Gosch

28 Nays:

29 Bartling; Feinstein; Gibson; Greenfield; Hawks; Heinert; Hunhoff (Bernie); Kaiser; Kirschman;
30 May; Nelson; Parsley; Ring; Russell; Soli; Tyler; Wismer

31 Excused:

32 Carson; Feickert; Killer; Peterson; Schrempp

So the bill having received an affirmative vote of a majority of the members-elect, the Speaker declared the bill passed and the title was agreed to.

There being no objection, the House reverted to Order of Business No. 7.

MESSAGES FROM THE SENATE

MR. SPEAKER:

I have the honor to inform your honorable body that the Senate has adopted the report of the Conference Committee on HB 1123.

Also MR. SPEAKER:

I have the honor to return herewith HB 1185 which has passed the Senate without change.

Respectfully,
Jeannette Schipper, Secretary

There being no objection, the House reverted to Order of Business No. 5.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that HB 1030, 1033, 1045, 1050, 1060, 1068, 1085, 1096, 1098, 1122, 1137, 1164, 1165, 1168, 1171, 1184, 1212, 1220, 1233, and 1234 were delivered to his Excellency, the Governor, for his approval at 2:30 p.m., March 8, 2013.

Also MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that HB 1123, 1130, and 1185 were delivered to his Excellency, the Governor, for his approval at 11:58 p.m., March 8, 2013.

1 Also MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing
3 and Enrolling has carefully compared HB 1123, 1130, and 1185 and finds the same correctly
4 enrolled.

5 Respectfully submitted,
6 Brian G. Gosch, Chair

7 **SIGNING OF BILLS**

8 The Speaker publicly read the title to

9 HB 1123: FOR AN ACT ENTITLED, An Act to increase the surcharge on certain hunting
10 licenses for predator control purposes, approve temporary funding provisions relating to
11 predator control, and to declare an emergency.

12 HB 1130: FOR AN ACT ENTITLED, An Act to define certain terms relating to bail bonds.

13 HB 1185: FOR AN ACT ENTITLED, An Act to appropriate money for the ordinary
14 expenses of the legislative, judicial, and executive departments of the state, the expenses of state
15 institutions, interest on the public debt, and for common schools.

16 SB 5: FOR AN ACT ENTITLED, An Act to establish the public purpose and goals of
17 postsecondary education, to provide for the funding of higher education, and to create the
18 Council on Higher Education Policy Goals, Performance, and Accountability.

19 SB 15: FOR AN ACT ENTITLED, An Act to provide for expenditures for early learning
20 services from the special education fund, and to revise certain provisions regarding state aid to
21 special education.

22 SB 28: FOR AN ACT ENTITLED, An Act to revise the property tax levies for the general
23 fund of a school district.

24 SB 39: FOR AN ACT ENTITLED, An Act to establish a penalty for a juvenile convicted
25 as an adult of a Class A or B felony and allow a sentence of up to life imprisonment after a
26 sentencing hearing.

27 SB 51: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
28 application of the collection allowance credit for collecting the sales tax.

29 SB 59: FOR AN ACT ENTITLED, An Act to prohibit the disposal of certain oil and gas
30 field wastes.

1 SB 76: FOR AN ACT ENTITLED, An Act to revise certain reversion provisions relating
2 to funding in the Governor's Office of Economic Development for the purpose of enhancing
3 military value of Ellsworth Air Force Base, and to declare an emergency.

4 SB 90: FOR AN ACT ENTITLED, An Act to revise the General Appropriations Acts for
5 fiscal years 2012 and 2013.

6 SB 106: FOR AN ACT ENTITLED, An Act to prohibit certain minors from using wireless
7 communication devices while operating motor vehicles upon the public highways.

8 SB 143: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
9 informational directional signing on the interstate right-of-way.

10 SB 195: FOR AN ACT ENTITLED, An Act to revise the distribution of the wind energy
11 tax.

12 SB 200: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
13 campaign finance.

14 SB 206: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to liability
15 and to worker's compensation and disability payments for law enforcement officers performing
16 duties in other jurisdictions.

17 SB 233: FOR AN ACT ENTITLED, An Act to create the critical teaching needs
18 scholarship program, to make an appropriation to the education enhancement trust fund to
19 provide for the annual funding of the scholarships, and to declare an emergency.

20 SB 235: FOR AN ACT ENTITLED, An Act to create the building South Dakota fund and
21 certain other funds and programs to enhance economic development and education, to make
22 certain deposits and transfers, to make continuous appropriations, to revise certain education
23 funding to support economic development, to make an appropriation therefor, and to declare an
24 emergency.

25 SB 236: FOR AN ACT ENTITLED, An Act to appropriate money to the Board of Regents
26 to fund the expansion of information systems programs and cyber security programs at Dakota
27 State University, and to declare an emergency.

28 SB 237: FOR AN ACT ENTITLED, An Act to appropriate funds for deposit into the need-
29 based grant fund, to provide for annual funding of the need-based grant fund with a portion of
30 the funds received from the education enhancement trust fund, and to declare an emergency.

31 And signed the same in the presence of the House.

32 Rep. Conzet moved that the House do now adjourn, which motion prevailed and at
33 11:58 p.m. the House adjourned.

34 Arlene Kvislen, Chief Clerk